IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CIVIL APPLICATION NO.108 OF 2006
IN
WRIT PETITION NO.4944 OF 2001

M.B. Kamble,
since deceased, per LRs
Rukhminibai M. Kamble & Ors. .... Applicants
Vs.
Atlas Copco India Ltd. .... Respondent

Sarvasri Deepak Pandey h/f A.S. Rao for
the Applicants.

Shri Mahesh Londhe i/b M/s. Sanjay Udeshi
& Co. for the Respondent.

CORAM: R.M.S. KHANDEPARKAR, J.

DATED: NOVEMBER 10, 2006

P.C:

Heard. This is an application to bring on record the LRs of the sole petitioner in Writ Petition No.4944 of 2001. The application is not objected to and has been filed within the period of limitation. However, there is no statement in the application that apart from the disclosed LRs, there are no other LRs left behind by the deceased petitioner. In the circumstances, the application needs to be allowed, subject to the LRs filing affidavit to the effect that apart from the named LRs, there are no other LRs left behind by the deceased petitioner. Such affidavit should be filed within a period of four weeks. In case

the LRs fail to file the affidavit, the order which is being passed shall stand recalled, without being referred to the Court and the application which is being allowed shall automatically stand dismissed.

Accordingly, the application is allowed. The amendment to the cause title to be carried out within four weeks after the filing of the affidavit, as stated above, failing which the order allowing the application shall stand automatically recalled and the application shall stand dismissed.

The application is accordingly disposed of.

(R.M.S. Khandeparkar, J.)

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